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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/550,109	09/19/2005	Alexis Olivereau	CML00668EP	1020
22917	7590	09/09/2008		
MOTOROLA, INC. 1303 EAST ALGONQUIN ROAD IL01/3RD SCHAUMBURG, IL 60196			EXAMINER SQUIRES, BRETT S	
			ART UNIT 2131	PAPER NUMBER
			NOTIFICATION DATE 09/09/2008	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

Docketing.Schaumburg@motorola.com  
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<b>Office Action Summary</b>	<b>Application No.</b> 10/550,109	<b>Applicant(s)</b> OLIVEREAU ET AL.	
	<b>Examiner</b> BRETT SQUIRES	<b>Art Unit</b> 2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 September 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 9-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 9-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 September 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>09/19/05</u> .  | 6) <input type="checkbox"/> Other: _____                          |

### ***Drawings***

1. The drawings are objected to because the shading of the backgrounds of figures 1-4 reduces the legibility of the figures 1-4. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

2. The disclosure is objected to because of the following informalities: on page 8 line 19 “the new visited network” is referenced using ref. no. 7 instead of ref. no. 9 and

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on page 10 line 10 "the mobile node" is referenced using ref. no. 24 instead of ref. no. 4. Appropriate correction is required.

The disclosure is objected to because of the following informalities: on page 6 the Summary of the Invention section does not indicate the substance of the invention and instead contains general statements that serve no useful purpose. The purpose of the Summary of the Invention is to apprise the public and more especially those interested in the particular art to which the invention relates of the substance of the invention. See MPEP 608.01(d). Appropriate correction is required.

### ***Claim Objections***

3. Claim 1 is objected to because of the following informalities: claim 1 recites "a roaming mobile terminal," on line 2 and the body of the claim recites "said mobile terminal," it is unclear whether the recited claim limitations are intended to refer to the same mobile terminal. Appropriate correction is required.

Claim 9 is objected to because of the following informalities: claim 9 recites "a roaming mobile terminal," on lines 1-2 and the body of the claim recites "said mobile terminal," it is unclear whether the recited claim limitations are intended to refer to the same mobile terminal.

### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 9-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 9-12 are generally narrative and indefinite, failing to conform with current U.S. practice. The claims are drawn toward a system for communication, however the claims describe the operation of the system for communication with only a cursory recitation of the structural elements that make up the system for communication. For apparatus claims the claim limitations should define physical structures or materials. See MPEP 2106 II. C. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-4 and 9-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Leung et al. (US 7,246,373).

Leung discloses a method of communication between a private network ("Private Network" See figure 1 ref. no. 117) and a roaming mobile terminal ("Client" See figure 1 ref. nos. 103, 105 and col. 1 lines 49-66), the private network including a home agent

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("VPN Server" See figure 1 ref. no. 107) for the mobile terminal and a gateway ("VPN Server" See figure 1 ref. no. 107) through which the communication passes and which provides security protection for the private network, the protocols of the communication ("IPsec" See col. 4 lines 65-67 and col. 5 lines 1-3) include security association bundles each including a security association between the mobile terminal and the gateway for inbound communication ("Subnetwork Address for Client" "Subnetwork Address for VPN Server" and "Enterprise Address" See col. 4 lines 12-49) and another security association for outbound communication ("Subnetwork Address for Client" "Subnetwork Address for VPN Server" and "Enterprise Address" See col. 4 lines 12-49), the method performing in response to a handover of communication causing an IP address of the mobile terminal to change to a new IP address ("Client moves from a first subnetwork to a second subnetwork" See col. 1 lines 49-66), the mobile terminal updates its inbound security association from the gateway so that it can receive packets sent to it with the new IP address as destination ("The VPN client automatically obtains a second subnetwork address" See col. 9 lines 13-15), the mobile terminal sends a first signaling message with the home agent as destination in a secure tunnel to the gateway ("The VPN Client automatically attempts to re-establish the VPN tunnel by sending the second subnetwork address, a username, and a password to the VPN server" See col. 9 lines 13-37), the first signaling message indicating the new IP address in secure form to home agent ("VPN server and client allow encryption of messages" See col. 5 lines 32-43), the inbound security association of the gateway from the mobile terminal accepts the first signaling message without checking its source address ("The user name and

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password information are verified instead of the source address" See col. 5 lines 32-43), the gateway forwards the first signaling message within the private network to the home agent ("The examiner respectfully points out that the VPN server is being construed as being a part of the private network."), the home agent checks the validity of the first signaling message ("The user name and password information are verified instead of the source address" See col. 5 lines 32-43) and, if it is valid, updates its address data and sends a second signaling message to the gateway indicating the new address ("The VPN server will generate an internal message to grant the client access to virtual private network by updating the subnetwork address of the client in response to verification of the user name and password" See col. 5 22-43), and the gateway updates its outbound security association with the mobile terminal in response to the new address indicated ("The tunnel to the VPN server is created" See col. 9 lines 13-37).

Regarding Claims 2 and 10:

Leung discloses the communication between the client and the VPN server is in accordance with an IPSec protocol specification (See figures 4A-4B, 6, col. 4 lines 65-67 and col. 5 lines 1-3).

Regarding Claims 3 and 11:

Leung discloses the communication between the client and the VPN server is in accordance with an encapsulating security payload protocol used in tunnel mode ("Encapsulated Portion" See figures 4A-4b, 6, ref. no. 415, col. 4 lines 65-67, col. 5 lines 1-3, and col. 7 lines 1-15).

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Regarding Claims 4 and 12:

Leung discloses a registration reply for the client is included in the second signaling message ("The enterprise address of the client is registered with the new subnetwork address" See col. 9 lines 13-37).

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Crump et al. (US 6,823,386) discloses a method for correlating data streams from multiple computing devices using an address configuration table that includes a wildcard address for matching source addresses of connection requests originated by the computing devices (See col. 4 lines 14-44).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRETT SQUIRES whose telephone number is (571) 272-8021. The examiner can normally be reached on 9:00am - 5:30pm Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ayaz R. Sheikh/  
Supervisory Patent Examiner, Art Unit 2131